

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LAWRENCE BOWEN,

Plaintiff,

- against -

HOME DEPOT, USA, INC. a/k/a
HOME DEPOT, INC.,

Defendant.
-----X

Civil Action No.:
CV 07-8182 (CLB)

**STIPULATION OF
DISCONTINUANCE
WITH PREJUDICE** *order*

J. Brieant

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued, with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Syosset, New York
May 8, 2008

ROBERT P. CUSUMANO, ESQ.

By: *Robert P. Cusumano*
ROBERT P. CUSUMANO (rc-)

Attorney for Plaintiff
LAWRENCE BOWEN

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Fishkill, New York 12524
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SIMMONS, JANNACE & STAGG, L.L.P.

By: *[Signature]*
SAL F. DeLUCA (sd-2354)

Attorney for Defendant
HOME DEPOT U.S.A., INC. s/h/a
THE HOME DEPOT USA, INC. a/k/a
HOME DEPOT

Office & P.O. Address:
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(516) 357-8100

SO ORDERED:

Charles Brieant June 3, 2008
U.S.D.J. White Plains, NY